

IN THE UNITED STATES DISTRICT COURT  
FOR DISTRICT OF PUERTO RICO

JOSE M. LORIE VELASCO, et al

Plaintiffs

v

KMART CORPORATION, et al

Defendants

CIVIL NO.: 1998-1867 (PG)

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2005 MAY 10 PM 3:28  
CLERK'S OFFICE  
U.S. DISTRICT COURT  
SAN JUAN, P.R.

**DEFENDANT'S MOTION TO SEAL CONFIDENTIAL SETTLEMENT  
AGREEMENT AND RELEASE**

TO THE HONORABLE COURT:

COME NOW defendant, Kmart Corporation ("Kmart"), through their undersigned counsel, and very respectfully state and pray as follows:

1. On this same date, Kmart is filing a motion to dismiss with prejudice, which includes a reference to the Confidential Settlement, Hold Harmless and Release Agreement ("the Confidential Agreement") executed by the parties to dispose of the claims in this action.
2. Due to the fact that the parties have agreed that the Agreement be kept strictly confidential, said Confidential Agreement should be kept under seal as it is herein requested.

WHEREFORE, it is respectfully requested that the Confidential Agreement that is being filed today as part of Defendant's Motion to Dismiss with Prejudice be kept under seal, as well as any other document that requires specific reference to the terms of the Confidential Agreement.

**Certificate of Service:** It is hereby certified that on this date electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will sent notification of such filing to the following: **José Quetglas Jordán, Esq.**, Quetglas Law Office, P.O. Box 16606, San Juan, Puerto Rico, 00907-6606.

In San Juan, Puerto Rico, this 10<sup>th</sup> day of May, 2005

**SANCHEZ BETANCES, SIFRE, MUÑOZ  
NOYA & RIVERA, P.S.C.**

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